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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/840,224	05/07/2004	Stephen Mark Mueller	P24943 (LB1042)	9675
7055 7590 12/04/2008 GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191				
EXAMINER NGUYEN, QUYNH H				
ART UNIT		PAPER NUMBER		
2614				
NOTIFICATION DATE		DELIVERY MODE		
12/04/2008		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

gbpatent@gbpatent.com  
pto@gbpatent.com

### Office Action Summary

**Application No.**

10/840,224

**Applicant(s)**

MUELLER ET AL.

**Examiner**

QUYNH H. NGUYEN

**Art Unit**

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 September 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SG/US)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

#### ***Claim Rejections - 35 USC § 103***

2. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miloslavsky (US Patent 5,905,792) in view of Coan et al. (US Patent 7,120,424).

As to claims 1, 8, 14, and 19, Miloslavsky teaches the steps of:

receiving, a network service platform, a calling party number in response to a telephone call from the calling party number (Fig. 4, 413; Fig. 5, 501; col.3, lines 26-27);  
querying a personal address book (*a database at a server on the network*) using the calling party number, to retrieve personal caller identification information associated with the calling party number and displayable to the user (col. 2, lines 55-60; col. 8, lines 15-20); and

forwarding the network caller identification information from a network caller identification database (col. 2, lines 50-55) supplemented with the personal caller identification information when connecting the telephone call to the user (col. col. 2, lines 55-60; col. 3, lines 49-50; col. 5, lines 1-8; col. 8, lines 15-19);

wherein the central, network based personal address book is provided distinct from the network caller identification database (col. 2, lines 50-60).

Miloslavsky does not explicitly teach the personal caller identification loadable by the user to the central, network based personal address book.

Coan et al. teaches teach the personal caller identification loadable by the user to the central, network based personal address book (col. 4, lines 33-42 - *where Coan discussed an enhanced local services server 222 resides on a network; providing a user with a capability of marking address book entries stored on a private web site at the enhanced local services server, hence user can load entries, for example, personal caller identification to the network based personal address book*).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Coan into the teachings of Miloslavsky in order to have a more efficient system and providing services available at the mobile communication device such as caller identification, speed dialing, etc (see Coan col. 1, lines 62-67); and further enhancing the communication capabilities by relying on global processing within the network and which can be shared by multiple parties, as discussed by Coan (col. 2, lines 30-39).

As to claims 2 and 9, Miloslavsky teaches the caller ID information or calling line is made available at the call center (col. 2, lines 50-55), hence determining when a telephone call is being placed to the user because the caller ID always has time stamped of when the call comes in.

As to claims 3, 11, and 15, Miloslavsky teaches querying a network caller identification database, using the calling party number, to retrieve the network caller identification information (col. 2, lines 50-60).

As to claims 4, 12, and 20, Miloslavsky teaches the telecommunications network comprises one of a voice over Internet protocol (VoIP) network, a wireless network, and a public switched telephone network (Fig. 1, PSTN lines 105 and 106).

As to claims 5, 13, and 16, Miloslavsky teaches customer database comprises names, addresses, and other information relating to customers (col. 5, lines 3-5), hence it would have been obvious to modify Miloslavsky's system to have a logging that logs each telephone call to the user as an entry comprising at least one of the personal caller identification information, date, time, and calling party telephone number.

As to claims 6-7 and 17-18, Miloslavsky teaches customer database is maintained on a data file server and a stat server track and providing data 9col. 7, lines 60-67). Hence, it would have been obvious that one can add / modify entry to the address book during a web browsing session. Retrieving, adding, deleting, modifying, etc. functions being perform on a database is well known.

As to claims 10, Miloslavsky teaches the network service platform comprises one of a SCP (Fig. 1, SCP 101; col. 5, lines 36-57), SIP feature server, and Parlay gateway.

### ***Response to Arguments***

3. Applicant's arguments with respect to claim 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Claims 1-8 are method claims. Applicant's specification paragraph [0069] discloses "the methods described herein are intended for operation as software programs running on a computer processor". In order for a method to be considered a

"process" under 101, a claimed process must either (1) be tied to another statutory class (such as a particular apparatus) or (2) transform underlying subject matter (such as an article or materials) (*Diamond v. Diehr*, 450 U.S. 175, 184 (1981); *Parker v. Flook*, 437 U.S. 584 n.9 (1978); *Gottschalk v. Benson*, 409 U.S. 63, 70 (1972); *Cochrane v. Deener*, 94 U.S. 780, 787-788 (1876)). Failure to make appropriate corrections may lead to 101 rejections.

Claims 14-18 recite "computer readable medium" while Applicant's specification paragraph [0070] discloses "...a digital file attachment to email or other self-contained information archive or set of archives is considered a distribution medium..." is not tangibly embodied in a physical medium and encoded on a computer-readable medium. Failure to make appropriate corrections may lead to 101 rejections.

### ***Conclusion***

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to QUYNH H. NGUYEN whose telephone number is 571-272-7489. The examiner can normally be reached on Monday - Thursday from 6:30 A.M. to 5:00 P.M. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on 571-272-7488. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Quynh H Nguyen/

Primary Examiner, Art Unit 2614